

Salisbury, North Carolina
January 15, 2019

REGULAR MEETING

PRESENT: Mayor Al Heggins, Presiding; Mayor Pro Tem David Post; Council Members Karen Alexander, William Brian Miller, and Tamara Sheffield; City Manager W. Lane Bailey; City Clerk Diane Gilmore, and City Attorney J. Graham Corriher.

ABSENT: None.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Heggins at 6:05 p.m.

PLEDGE OF ALLEGIANCE

Mayor Heggins led those present in the Pledge of Allegiance to the United States flag.

RECOGNITION OF VISITORS

Mayor Heggins welcomed all visitors present.

ADOPTION OF THE AGENDA

Mayor Heggins made a motion to amend the Agenda by adding the proposed Resolution of Reconciliation.

Mayor Pro Tem Post asked what action would be taken. Mayor Heggins stated she did not anticipate an action being taken but asked for the item to be added to the Agenda. She commented a motion could be made during discussion once the item was reached on the Agenda.

Councilmember Miller noted Council received a request from the Human Relations Council (HRC) for the Resolution to be referred to the HRC, and he asked for the motion to be amended to create an item that would allow Council to refer the Resolution to the HRC for consideration. Mayor Heggins commented once the item is added to the Agenda, a motion could be made during the discussion to make the amendment.

City Attorney Graham Corriher explained Councilmember Miller made a motion to amend Mayor Heggins' motion to add an item to the Agenda. He suggested Council vote on the motion to amend the first motion that refers the Resolution of Reconciliation to the HRC and then vote on the motion to add the item to the Agenda.

Mayor Heggins commented the HRC may want to speak during public comment before Council makes a motion to automatically send the Resolution of Reconciliation to the HRC. She pointed out adding the item to the Agenda would give HRC members an opportunity to speak and Council to have an opportunity for discussion regarding where the Resolution would be sent.

Councilmember Sheffield asked Mayor Heggins if her intentions were to amend the Agenda to add the Resolution of Reconciliation for discussion. Mayor Heggins agreed.

Mayor Pro Tem Post stated he supports the Resolution and Councilmember Miller's amended motion. He commented the HRC may not want to receive the Resolution of Reconciliation. He added the item can be modified once it is on the Agenda.

Mayor Heggins agreed the issue is whether to add the Resolution as an item on the Agenda or add the Resolution to be referred to the HRC as an item on the Agenda. She commented by adding the Resolution to the Agenda, Council will have a way to discuss the Resolution so the public has a full understanding of where everyone stands and why. She added if the Resolution is sent directly to the HRC, it does not give an opportunity to engage in any discussion around what the Resolution means.

Councilmember Miller stated City Boards and Commissions are available to help Council work through challenging situations such as this important issue that the community needs to address. He pointed out the HRC was formed to deal with these issues and if the matter is debated before being sent to the HRC, it will be debated twice. He shared his reason for referring the proposed Resolution to the HRC was so it could provide Council input on the process and help it reach a decision. He shared Council received two letters from executive leaders of the HRC requesting the conversation regarding the Resolution be deferred, and he added that is the reason he made the motion to add the item to the Agenda with the purpose of referring it to the HRC.

Mayor Heggins commented it was not her understanding during a conversation with Councilmember Miller that he wanted to amend her suggested change to the Agenda. Councilmember Miller stated during their conversation referring the Resolution to HRC was discussed. Mayor Heggins agreed, and she added there have been several developments regarding the Resolution. She shared it would be helpful to hear from the HRC. Councilmember Miller noted HRC members will have an opportunity to speak during public comment, and Council will have an opportunity to respond before they reach the item on the Agenda.

Mayor Heggins asked Mr. Corriher if Council could amend the Agenda once they heard from the HRC during public comment. Mr. Corriher stated the Agenda can be amended at any time with a majority vote from Council.

Mayor Pro Tem Post explained the Resolution was provided to the City on December 27, 2018 and distributed to Council on January 9, 2019, and at that point the Resolution was to be placed on the Agenda. He referenced communication through emails between Councilmembers where it was decided by consensus that the Resolution for Reconciliation be removed from the Agenda. He added if it is going to be added to the Agenda there is a procedure that needs to take place. Mayor Pro Tem Post stated he supports Councilmember Miller's amendment.

Mayor Heggins clarified there was a lot of conversation regarding whether it would be placed on the Agenda, and she added it was never placed on the Agenda and was not part of the Agenda packet when it was published. She commented there is a process to send information out and the decision to send the item to the HRC was made after the fact and not required before the item came before Council.

Councilmember Miller made a **motion** to amend the Agenda by adding the Resolution of Reconciliation to the Agenda with the purpose of referring the Resolution of Reconciliation to the HRC for consideration. Mayor Pro Tem Post and Councilmembers Alexander, Miller, and Sheffield voted AYE. Mayor Heggins voted NAY. (4-1)

Mayor Heggins made a **motion** to add the Resolution of Reconciliation to the Agenda as amended. Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Alexander, Miller, and Sheffield voted AYE. (5-0)

Thereupon, Councilmember Miller made a **motion** to adopt the Agenda as amended. Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Alexander, Miller, and Sheffield voted AYE. (5-0)

PROCLAMATION

Mayor to proclaim the following observances:

DR. MARTIN LUTHER KING, JR. DAY	JANUARY 12, 2019
ELIZABETH MAXWELL STEELE	
CHAPTER OF THE NSDAR 120TH ANNIVERSARY	JANUARY 15, 2019
NATIONAL SLAVERY AND	
HUMAN TRAFFICKING PREVENTION MONTH	JANUARY 2019

Mayor Heggins read the Dr. Martin Luther King, Jr Day Proclamation and the National Slavery and Human Trafficking Prevention Month Proclamation.

Mayor Heggins then read and presented the Elizabeth Maxwell Steele Chapter of the National Society Daughters of the American Revolution (NSDAR) 120th Anniversary

Proclamation to members of the Elizabeth Maxwell Steele Chapter. Elizabeth Maxwell Steele Chapter Regent Sandra Czuba shared their accomplishments.

CONSENT AGENDA

(a) Minutes

Adopt Minutes of the Regular meeting of January 2, 2019.

(b) Budget Amendment – Department Donations

Adopt a Budget Ordinance amendment to the FY2018-2019 budget to appropriate donations of \$5,000 to BlockWork; \$5,000 to the Dixonville Memorial Project; \$4,000 to Parks and Recreation; and \$5,000 to Public Art.

ORDINANCE AMENDING THE 2018-2019 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA TO APPROPRIATE DONATIONS FROM SALISBURY COMMUNITY FOUNDATION.

(The above Ordinance is recorded in full in Ordinance Book No. 28 at Page No. 3 and is known as Ordinance 2019-03.)

(c) Budget Amendment – Dixonville Task Force donation

Adopt a Budget Ordinance amendment to the FY2018-2019 budget to appropriate \$38,608 to the Dixonville Memorial Project.

ORDINANCE AMENDING THE 2018-2019 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA APPROPRIATE DIXONVILLE DONATIONS.

(The above Ordinance is recorded in full in Ordinance Book No. 28 at Page No. 4 and is known as Ordinance 2019-04.)

(d) Budget Amendment – Insurance Claims Proceeds and Interest

Adopt a Budget Ordinance amendment to the FY2018-2019 budget in the amount of \$54,450 to appropriate funds for Insurance Claims Proceeds and Interest.

ORDINANCE AMENDING THE 2018-2019 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA APPROPRIATE REVENUE FROM INSURANCE CLAIMS PROCEEDS AND INTEREST.

(The above Ordinance is recorded in full in Ordinance Book No. 28 at Page No. 5 and is known as Ordinance 2019-05.)

(e) Resolution – Sale of Surplus Property

Adopt a Resolution to ratify the sale of ST20801, a 2007 Street sweeper, to Marco Jourdain of Balai Le Permanent Inc., Laval, QC, Canada for \$38,950.

RESOLUTION TO RATIFY THE SALE OF SURPLUS PERSONAL PROPERTY SOLD BY THE CITY OF SALISBURY FOR MORE THAN \$30,000.

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 3 and is known as Resolution 2019-02.)

(f) Contract and Ordinance – Grants Creek Greenway

Authorize the City Manager to execute a contract with Stewart, Inc. in the amount of \$258,394.80 for engineering services associated with Grants Creek Greenway and adopt a Budget Ordinance amendment to the FY2018-2019 budget in the amount of \$132,000 to appropriate funds for Carolina Thread Trail Grant.

ORDINANCE AMENDING THE 2018-2019 BUDGET ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA APPROPRIATE REVENUE FROM CAROLINA THREAD TRAIL GRANTS.

(The above Ordinance is recorded in full in Ordinance Book No. 28 at Page No. 6 and is known as Ordinance 2019-06.)

Thereupon, Councilmember Miller made a **motion** to adopt the Consent Agenda as presented. Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Alexander, Miller, and Sheffield voted AYE. (5-0)

PUBLIC COMMENT

City Clerk Diane Gilmore shared that a speaker may yield their time to another speaker at the end of the three minutes allowed for each person for public comment.

Mayor Heggins opened the floor to receive public comments.

Dr. Regina Dancy read the proposed Resolution of Reconciliation as presented in the *Salisbury Post* and invited the audience to stand as a sign of solidarity.

Dr. Susan Lee suggested Council adopt the Resolution of Reconciliation. She commended the Council for working collaboratively with citizens regarding racial equity, and she shared the Resolution reflects the wisdom and capacity of local citizens and the ability to engage in sensitive issues and recommend action. She added establishing an Equity Commission will create a firm foundation for the community's well-being and prosperity. She read remarks from Dr. Claude Clegg a professor and Historian at the University of North Carolina at Chapel Hill and a quote from Poet Robinson Jeffers.

Dr. Sharon Grant asked Council to adopt the Resolution of Reconciliation, and she shared her concern regarding the on-going process of the Reconciliation. She pointed out Reconciliation is understood by three steps of acknowledging and renouncing unjust actions, recognizing the harm it causes and committing to eliminate causes and conditions that are inequitable and support injustice. She shared delayed actions are detrimental to the process and the work of building trust and relationships. She added Council began the important work of reconciliation by acknowledging the unjust actions during the August 26, 2017 ceremonial of acknowledgment an important and historic first step for historic Salisbury. She noted it was Dr. Martin Luther King, Jr.'s birthday, and she pointed out the Resolution is linked to his unparalleled service to this Country. She shared information about the 1916 lynching in Waco, Texas and she read a quote from a book written by Lisa Loden and Dr. Salim Munayer titled, *"Through My Enemy's Eyes."*

Mr. Jeff Sharp shared his support and recommended Council adopt the Resolution of Reconciliation. He added there needs to be a way to identify and eliminate practices that systematically disempower African Americans and other people of color. He noted African Americans and people of color still are confronted by policies, practices, and systems that undermine freedom and self-determination. He commented Salisbury needs an Equity Commission of a group of citizens whose mission is to study the consequences of our current practices and based on facts, recommend a better way forward that must not limit the investigation to race, but for any citizen or any class of citizens that are unfairly marginalized.

Reverend Olen Bruner shared quotes by Reverend Dr. Martin Luther King, Jr. and a quote from First John 3:18 and Micah 6:8. He asked Council if more time is needed to consider the Resolution of Reconciliation, then how much time is needed. He commented it takes courage to speak, and even more courage to act. He asked Council to take the action and adopt the Resolution of Reconciliation.

Human Relations Council (HRC) Chairman Dennis Rivers addressed Council regarding the request the HRC received on January 7 and January 8, 2019 for the Resolution of Reconciliation to be included in HRC's Martin Luther King, Jr.'s celebrations. He shared the HRC supports the Resolution of Reconciliation and was not against it being placed on the City Council Agenda. He added the HRC reached out to Council to request the HRC not be forced to incorporate it into the Martin Luther King (MLK) celebration without the MLK committee providing input, clarity, and confirmation before presenting it to the City.

Mayor Heggins asked if the HRC requested the Resolution of Reconciliation be removed from Council's January 15, 2019 Agenda. Mr. Rivers disagreed, and he commented the request was for the HRC not be forced to include the Resolution in the MLK celebrations. Mayor Heggins asked if this occurred due to the misunderstanding that the HRC thought they were being asked to include the Resolution of Reconciliation at the celebration over the weekend. Mr. Rivers agreed.

Mayor Heggins asked if the HRC felt the Resolution of Reconciliation does not align with the legacy of the late Reverend Dr. Martin Luther King, Jr. Mr. Rivers stated yes, HRC supports the Resolution of Reconciliation and it would have been incorporated during the MLK celebration if given ample time to include it. Mayor Heggins commented the Resolution of Reconciliation

demonstrates the legacy of the late Dr. Martin Luther King, Jr. Mr. Rivers agreed, and he added many others as well.

Judge Larry Ford explained the Resolution of Reconciliation has created anger from some European Americans who do not support the Resolution as it is an offense toward them and that the European Americans are the ones that have caused the issues. Mr. Ford shared he has no problem with the Resolution and agrees with Reverend Olen Bruner that the Resolution of Reconciliation is a way to look forward and not backward. He noted we are all Americans, and citizens, and work together to accomplish the things we are trying to do. He commented there are minor changes in the Resolution that should be made, but he will not discuss at this time.

Mayor Heggins thanked Judge Larry Ford for speaking. She shared as an African American girl growing up in North Carolina and Rowan County, it is not new to her for European Americans to be angry with her voicing what she perceives as injustices to her as an African American woman. She added she loved that each word ends with American, but would love it even more when words are not prefaced with African, European, Native or German. Judge Ford agreed.

Ms. MT Sidoli stated the Resolution of Reconciliation as presented to Council should be on the Agenda today, and she added if not added today, as soon as possible so it does not go unnoticed.

Dr. Kim Porter pointed out the Equity Commission worked endlessly for months through their time, energy, and research regarding the Resolution of Reconciliation. He agreed with the Fair Housing Commission and he commented Commission members should be diverse in regards to gender, color, race, people who rent, and people who may be struggling with housing issues be able to be heard on a continuous basis and be included on the Commission.

Ms. Renee Wimbish noted she received copies of documents and recent emails concerning the Resolution. She added she had the letters from the HRC asking the Resolution of Reconciliation be removed from the Agenda and not be included during the MLK celebration. She pointed out Councilmember Miller was the first to mention the Resolution should go to the HRC for approval. She added he was unaware of the existence of the HRC last year, and she asked why seek its wisdom now on this matter. She shared her concerns of hardly any conversation being made regarding the Resolution of Reconciliation with no comments from Councilmember Sheffield or Councilmember Alexander. She thanked Mayor Pro Tem Post as he agreed to remove and send the Resolution of Reconciliation to the HRC and for him being the only member on Council to refer to the actual content of the Resolution. She thanked Mayor Heggins for requesting for the Resolution stay on the Agenda for tonight's meeting. She mentioned during the August Council meetings there was much debate and the subject was tabled. She commented Councilmember Alexander suggested the Resolution go to the Actions in Faith and Justice to review and revise and include Dr. Claude Clegg, both requests have been fulfilled and it was never mentioned to be sent to the HRC. She added it was stated the HRC is not equipped, trained or prepared for such a situation and she asked why the Resolution should be sent to the HRC now. She shared quotes from Dr. Martin Luther King, Jr., and she commented the Resolution brings the greatest honor to the legacy to him and the injustice and equity he fought for.

Councilmember Sheffield commented the City's business should not be conducted through emails, and she added by standing during the reading of the Resolution she showed her support for the Resolution as an action and not through an email.

Councilmember Alexander indicated the rules of engagement for conversations and communication between Council state that if it involves more than two Councilmembers it is in opposition to the rules of conduct because Council is supposed to be in an open meeting. She explained she saves her comments to speak in public. She commented with the letters received from the HRC, she supports the recommendation from the HRC requesting the Resolution of Reconciliation not be placed on the Agenda. She added she looks at the long-standing Commission already in place and the amount of work they have completed in regards to human relations in the community and it would be disrespectful to not adhere to their request. She clarified to the public that she was obeying the rules of engagement.

Councilmember Miller stated in response to Ms. Wimbish's comment that he is aware of the HRC, and he noted he has nominated people to serve each year he has been a part of Council. He added what he was unaware of was the problems the HRC had last year. He shared the comment about the HRC not being equipped, trained or prepared was expressed by another Councilmember and was not an opinion he shared.

Mr. Walter Vaughn noted he opposed the policy. He agreed the events that took place were wrong, and he added the problem is that the Resolution does not teach the reasons why the lynching happened or the issues Americans faced. He stated it needs to be addressed and amended in the policy to let people know why it happened. He shared his concerns about past events including Democrats and Republicans.

Mayor Heggins asked the audience to conduct themselves accordingly in Council Chambers and to let the speakers speak.

Mayor Heggins pointed out this is not a Democratic or Republican issue.

Ms. Pam Bloom shared a quote by Dr. Martin Luther King, Jr. and she requested the Resolution of Reconciliation be included on the Agenda. She commented as she looked around the room she could name 20 or more people who have gone to Peace Circle, Women for Community Service, and community events at Mission house and these 20 plus people do not look like her, they look like Salisbury.

Bishop Roland Jordan thanked Council for continuing to present the Proclamation for Dr. Martin Luther King, Jr., Black History Month, Memorial Day and Veterans Day. He commented human rights are something that Dr. King, Jr. died for and it needs to be discussed and young people need to be educated.

Mr. Tenkamenin Crowder commented the Resolution of Reconciliation should have been passed in August 2018. He shared his concern of Council not providing their full attention during public comment and he added he can tell who is genuine and honest by facial expressions.

Mr. Gemale Black, President of the Salisbury-Rowan National Association for the Advancement of Colored People (NAACP) noted the City is faced with major disparities in economics, affordable housing, and education, but politics is chosen over people. He shared the Salisbury-Rowan NAACP supports the Actions in Faith and Justice and the Resolution of Reconciliation. He pointed out citizens worked hard on the Vision, Mission, and Core Values and the Actions in Faith and Justice worked hard on the Resolution. He asked when Council would be taking action on what the citizens want.

Mr. Mike-o Martelli shared information from the August 2018 Council meeting. He noted one of the Councilmembers commented the language might offend people. He added language might offend people when dealing with social injustice and reconciling how marginalized people have been harmed and it is going to be uncomfortable. He commented anytime a person is not actively confronting systemic racism they are passively contributing to it.

There being no one else to address Council, Mayor Heggins closed the public comment session.

Mayor Pro Tem Post shared his experiences of being a victim of racism because he is Jewish. He added when this issue came up in August he submitted an alternative that was based on the Holocaust Resolutions that included three things: too never forget, to educate your children, and do not let it happen again. He pointed out the documentation supporting the proposed Resolution stated it was from various Judaic philosophy but no one from the Jewish Community was asked for their input. He stated he or another member of the Jewish community might have had something to add. He pointed out some people spoke about systemic racism during public comment and that white people do not recognize they are doing it, but he states it also happens in reverse. He shared he is very sensitive to this issue, but he is supportive of the Resolution.

Mayor Heggins shared she is proud of everybody in the room for respectfully handling the sensitive process that included sensitive language.

RECESS

Mayor Heggins made a **motion** to take a five minute recess and all Councilmembers in attendance agreed unanimously to recess.

The meeting reconvened at 7:35 p.m.

Thereupon, Mayor Heggins made a **motion** to change the order of the Agenda to reverse Agenda item Courtesy Public Hearing for Project Care with the presentation from the Salisbury-Rowan STEM teacher leaders. Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Alexander, Miller, and Sheffield voted AYE. (5-0)

UPDATE – SCIENCE, TECHNOLOGY, ENGINEERING, AND MATHEMATICS

Overton Elementary School Principal Candice Austin reviewed the proposal presented to Council last spring to fund training and stipends for the Science, Technology, Engineering, and Mathematics (STEM) teachers and leaders in the Salisbury community schools. She added since the proposal was granted, 25 teachers from Salisbury High School, Knox Middle School, Overton Elementary and Isenberg Elementary schools were selected to lead STEM learning.

Overton Elementary School third grade teacher Laura Zimmerman-Clark thanked Council for the Salisbury STEM Cohort and the opportunity to receive paid time to collaborate and develop quality STEM unit lessons. She added the sessions are led by a program called Discovery Education training that provides several resources and has helped implement that same education training into the STEM unit lessons. She mentioned there are two meetings a month and two training sessions that have occurred on Saturdays, and with two remaining training sessions scheduled on Saturdays.

Isenberg Elementary School Reading Design Coach Dr. Nita Jarvis stated she is proud to be a part of the Salisbury STEM Cohort as she has learned so much and enjoys sharing with her fellow teachers. She pointed out the STEM Cohort was required to write three STEM units, but they chose to write six units to include each grade level in the elementary school from kindergarten through fifth-grade levels. She commented the first unit was completed October 31, 2018 for the elementary grade level, and is currently used by some of the kindergarten teachers. She added the second unit is completed and the third unit should be completed by February 1, 2019 with the goal to complete the third, fourth, and fifth grade level units before the end of the school year.

Dr. Jarvis shared there is a particular strand of science that will be taught differently across all six grade levels, but with the same focus on force and motion. She added the presentation includes website links to provide all the information included for first, second, and third STEM units.

Mayor Heggins requested the presentation be emailed to City Clerk Diane Gilmore. Dr. Jarvis agreed.

Ms. Zimmerman-Clark thanked Council for making STEM learning possible.

Dr. Jarvis commented the STEM teachers are excited and thrilled to be a part of the STEM Cohort and thanked Council for their support to the school system.

Mayor Heggins thanked Dr. Jarvis for being in Salisbury and the wonderful work that has been done.

Mayor Pro Tem Post asked if teachers are receptive to what Dr. Jarvis shares after a training session and if they have to stay late or meet on Saturdays. Dr. Jarvis stated she meets with the teachers during the school day and they are receptive to the information she shares with them.

Isenberg Principal Marvin Moore thanked Council for the opportunity the teachers have to be innovative and creative and to have the resources, time and monetary means to be able to do the work they do towards the STEM program. He shared the program will be provided to teachers to be able to easily teach the students with all the material being in one place. He added the STEM program is a great product from the best teachers, and he thanked Council for giving the best science, math, technology, and engineering teachers the opportunity to be compensated for the work they do and to be able to provide learning for the students.

Councilmember Miller stated the work the teachers do is one of the most important things to happen in Salisbury, and he thanked the teachers for their work with the STEM program and for all the work they do to help children.

Mayor Pro Tem Post mentioned STEM learning is the most important thing

Councilmember Alexander stated education is a huge economic development driver of the community. She added it will help the future success of the community and she thanked the teachers for helping build the future.

Mayor Heggins thanked them for their update.

PROJECT CARE – COURTESY PUBLIC HEARING

Rowan Economic Development Commission (EDC) Vice President of Operations Scott Shelton shared the EDC is a strong proponent of the Science, Technology, Engineering, and Mathematics (STEM) curriculum, and he noted STEM learning is a crucial service in the community's workforce. He thanked Salisbury-Rowan School System for implementing STEM learning.

Mr. Shelton reviewed recent changes to the proposed Project Care agreement that was presented to Council at its last meeting. City Attorney Graham Corriher stated a 10-day public notification was required and the advertisement was published at nine days. He added the City will need to republish the public hearing notice to meet the notification requirement. Mr. Shelton commented the EDC would like to continue with a courtesy hearing and provide updated information to the public and Council regarding Project Care.

Mr. Shelton reviewed proposed changes to the Incentive Grant agreement for Project Care. He noted Project Care is an existing employer in Rowan County and Council approved a Level 2 Grant for Project Care in October 2018. He indicated the grant stated 80% of new taxes would be returned in the form of a grant over five years. He reviewed as a part of the original proposal the EDC was told the company would create 59 new jobs, maintain existing employment levels with an average annual salary of \$46,042, and the company would invest \$68 million in new construction and equipment.

Mr. Shelton stated since the initial grant was approved by Council, the EDC has been told the project parameters have changed. He commented current revisions now propose the creation

of 35 new jobs with a \$45.2 million capital investment. He stated there is a possibility of an additional \$20 million in new investment and 20 additional new jobs through the transfer of an existing production line to Salisbury, but the transfer is on hold indefinitely according to company representatives.

Mr. Shelton commented based on the current City incentive agreement policy it is estimated that the City would collect \$1,467,983 million over five years with an incentive grant of \$1,174,387 million and the City would retain \$293,596. He pointed out the 10-year incentive analysis indicates the City would collect an estimated \$3,094,280 less the incentive grant of \$1,174,387 with \$1,919,893 estimated in City revenue.

Mr. Shelton shared the Rowan County Board of Commissions will consider a similar revised incentive grant at its next meeting.

Mr. Shelton indicated the new agreement would include the revisions from \$68 million capital investment to \$45 million and new job projections from 59 to 35 positions. He noted a change was made to the start date for the grant from FY2019-2020 to FY2021.

Mr. Shelton commented the proposed revisions are presented to Council for its consideration. He stated that the EDC requests Council set a public hearing for February 5, 2019 to receive comments relating to the revised incentive agreement for Project Care.

Mayor Heggins convened a courtesy public hearing, after due notice thereof, to receive comments regarding Project Care.

UPDATE – WEST END AND NORTH MAIN STREET HOUSING REHABILITATION PROGRAM

Salisbury Community Development Corporation (CDC) Director Chanaka Yatawara and Interim Development Services Director Brian Hiatt presented Council a housing rehabilitation project update. Mr. Yatawara reviewed the West End Rehabilitation Project has not progressed as much as he would like because of recent inclement weather and large amounts of rainfall. He reviewed phases 1 and 2 of the West End Housing pilot project and indicated 16 rehabilitation applications have been submitted. He commented the CDC has completed three projects and eight projects are currently under construction and estimated to be completed over the next four to six weeks. He commented CDC hired four contractors to complete most of the work, and he added those contractors resourced subcontractors from the Salisbury area.

Mr. Yatawara explained the CDC received \$400,000 to complete the West End Rehabilitation Project. He stated three homes were rehabilitated and completed for \$68,679, and eight homes are in the rehabilitation process with an estimated cost of \$127,454. He noted five homes are in the inspection stage with an estimated cost of \$100,000. He reviewed the fund balance of \$103,867, and he added the CDC estimates to rehabilitate a total of 21 homes.

Mr. Yatawara shared photographs of three rehabilitation projects.

Mayor Heggins invited families who have worked with the CDC to attend a Council meeting and share their experiences. Mr. Yatawara commented he would be happy to ask families to come and share their experience and gratitude with Council.

Mr. Yatawara commented he wanted to provide Council and the public updates in hopes of attracting more families to apply for the CDC rehabilitation program.

Mayor Heggins thanked Mr. Yatawara, and she commented she is excited about the progress the CDC has made.

Councilmember Miller asked if rehabilitation projects have increased nearby homeowner's interest to reinvest in their properties. Mr. Yatawara indicated not at this time, but some of the projects are in the early stages of rehabilitation.

Councilmember Sheffield thanked the CDC and Mr. Yatawara for their work in the community and for subcontracting locally to help to keep the money in the community.

Mayor Pro Tem Post and Councilmember Alexander commended the CDC for its work.

CMAQ – TRAFFIC SIGNAL SYSTEM NETWORK

City Engineer Wendy Brindle stated the City's traffic signal system was upgraded in 2014. She added the network portion of the system has reached the end of its useful life. She referenced a need to replace five closed-circuit television cameras and signal software such as routers and servers. She explained the North Carolina Department of Transportation has recommended the City apply for a Congestion Mitigation and Air Quality Improvement (CMAQ) grant to help fund the needed upgrade. She stated if the grant is approved it could be used for system maintenance upgrades and provide 80% of the needed funding. She indicated the estimated \$178,000 upgrade expense exceeds the maintenance schedule amounts allowed by the NCDOT. She stated there are currently no CMAQ funds available due to money recensions and deadlines. She recommended the City submit an application for a CMAQ grant that includes support from Council to be ready when funds become available.

Ms. Brindle requested Council consider adopting a Resolution supporting the CMAQ application for funds to upgrade the Signal System Network. She indicated 20% of local funding would be a shared expense between the City and NCDOT in accordance with the pro-rata share of the signal system, and she added funding breakdowns would be 3% by the City and 17% by NCDOT.

Thereupon, Councilmember Miller made a **motion** to adopt the Resolution supporting the City of Salisbury's Traffic Signal Network Upgrade. Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Alexander, Miller, and Sheffield voted AYE. (5-0)

RESOLUTION SUPPORTING THE CITY OF SALISBURY'S TRAFFIC SIGNAL NETWORK UPGRADE

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 4 and is known as Resolution 2019-03.)

RESOLUTION OF RECONCILIATION

Mayor Heggins thanked Councilmember Sheffield for standing while the Resolution of Reconciliation was read during public comment. She commented that there has been some misunderstanding regarding the Resolution of Reconciliation being removed from Council's January 15, 2019 Agenda. She indicated Council received a letter requesting that the Resolution be removed from Council's Agenda, and she stated the letter is not the same letter that was originally sent by the Human Relations Council (HRC) Chairman Dennis Rivers. She commented the HRC did not include in its original letter a request that the Resolution be removed from the Agenda. She referenced the August 2018 Council meeting when Council determined to turn the Resolution of Reconciliation over to the Actions in Faith and Justice Organization and asked that the Resolution be returned to Council with ideas. She indicated the members of the Actions in Faith and Justice Organization consist of researchers and writers who have worked in the areas of institutional and structural racism. She commented as a City she does not believe the money has been invested into the HRC and it is not fully equipped to complete and engage in the difficult task put before them. She suggested Council consider racial equity training and fair housing training for HRC members.

Mayor Heggins commented there has been a consensus to remove the portion of the Resolution relating to an equity commission because the topic would need time for research.

Mayor Pro Tem Post asked if an amendment would be needed for the removal of the equity commission portion.

Councilmember Miller suggested that the details of the Resolution of Reconciliation be worked on by the HRC rather than during a Council meeting. He acknowledged that horrific acts took place, and he apologized that those acts happened. He commented he can understand the impact on the community and wants to clarify that he is not trying to stop the Resolution of Reconciliation from being adopted, but he is following the process that allows Council to fully debate items and allow details to be worked on by a Board or Commission. He stated documents are presented to Council in a more complete version.

Councilmember Miller shared items that relate to the Planning Board and the Historic Preservation Commission are filtered through those boards before being presented to Council. Mayor Heggins noted those boards have a process, and she added she did not want there to be a misunderstanding because HRC does not work like those boards. Councilmember Miller commented he was not sure of HRC bylaws but it is his understanding that the HRC works like other boards to help facilitate and advise Council. He expressed that he is in favor of the

Resolution of Reconciliation be provided to the HRC and then presented to Council for its consideration.

Councilmember Sheffield indicated she does not believe approving the Resolution of Reconciliation states whether or not the Resolution belongs to the HRC. She commented the purpose of the Resolution is to acknowledge and renounce the City's history and move forward.

Councilmember Miller commented Council has not had an opportunity to discuss the proposed Resolution from the Actions in Faith and Justice to form an Equity Commission. He shared he does not believe the Resolution is in a final form, and he suggested the HRC review the Resolution. He added he is not trying to debate the Resolution but is asking Council to determine whether it wants to send the Resolution to HRC.

Councilmember Sheffield reviewed at Council's August 7, 2018 meeting she made a motion to table the Resolution until its August 21 meeting to determine whether or not the Resolution would be turned over to the Actions in Faith and Justice Committee. She shared Council determined to turn over the Resolution to representatives of Actions in Faith and Justice, Dr. Susan Lee and Reverend Olen Bruner. She commented if members of Council disagree with creating an Equity Commission a discussion should take place at this meeting.

Councilmember Miller commented he does not see a need to create an additional commission without providing Council an opportunity for consideration and discussion.

Councilmember Alexander indicated there are two different issues that Council is discussing. She stated Council asked Dr. Susan Lee and Reverend Olen Bruner to return to Council with a Resolution that all members could agree on. She commented she was not expecting them to return to Council with a proposal for an Equity Commission. She shared she likes the Resolution of Reconciliation that has been presented to Council, but she does not agree that Council is ready to establish a new commission without knowing all of its details. She noted there is a process to establish City Boards and Commissions. She suggested separating the Resolution and the Equity Commission into two separate issues. She commented the Equity Commission could be a subcommittee of the HRC. She commented she supports the Mayor's suggestion to provide the HRC additional training. She commented in the past HRC members have expressed the need for training, and she added a trainer from Charlotte provided initial training for HRC members. She stated she believes these two items need to be separated, and she supports the Resolution of Reconciliation.

Mayor Heggins agreed that the two items should be separated. She commented the Equity portion of the Resolution could be removed and separated into a new commission, and she added it would give staff enough time to sort through the details on how to build an Equity Commission. She noted when Council turned over the Resolution of Reconciliation to the Actions in Faith and Justice no parameters were set by Council.

Councilmember Miller commented if the Equity portion of the Resolution is removed he would be in favor of supporting the Resolution. He commented the details of the revised document should not be determined at a Council meeting.

Councilmember Alexander asked if the Resolution could be returned to the HRC, and she asked if the HRC and Actions in Faith and Justice could work together.

Mayor Heggins stated she has a fundamental issue with how the issues came from the HRC. She commented she met with the executive committee this morning and reviewed the major confusion that took place leading up to the Resolution. She commented the original letter that was sent to Council by HRC Chairman Dennis Rivers was not the letter he wrote, and she noted the letter received by Council included additions.

Mayor Heggins commented the letter that was sent to Council on letterhead included additions that were not made by Chairman Rivers. Councilmember Alexander commented Council was not provided that information. She commented she reviewed a letter from the HRC Chairman. She stated in respect to Mr. Dennis Rivers and the HRC she knows how hard its members work. She added she felt like the verbiage in the letter was reasonable given the time frame. She stated she supports Councilmember Miller's request that the Resolution be returned to the HRC.

Mayor Heggins shared she believes the issues are not about returning the document back to HRC and as a Council it was determined to give the Resolution of Reconciliation to the Actions in Faith and Justice committee because they did the initial work.

Councilmember Miller suggested removing the section that reads "Whereas the City of Salisbury thus resolves" and the first and second paragraph section about the Equity Commission and leave the third paragraph that reads "to recognize and henceforth the date of August 6 for the purpose of re-affirming the City of Salisbury committee to eliminating wrongful disparities and equities and to celebrate achievement in doing so." He expressed that his suggestions are being made without much preview of the proposed Resolution. He commented he sees no issue with why the Resolution should not be given to the HRC, but if Council is willing to accept his amendment Council could move on.

Councilmember Alexander commented she would like to clarify when she stated she agreed to send the Resolution back to the HRC because it has not ever been provided to them. She stated she would like the Actions in Faith and Justice to work together with the HRC to be inclusive because there was a formal letter sent to Council requesting a review of the Resolution.

Mayor Heggins commented the formal letter was not written by HRC Chair, and she added no one from the HRC is asking that the Resolution be reviewed before being presented to Council. She noted the HRC's main concern was the confusion around the Resolution being incorporated into the Martin Luther King, Jr. weekend celebration and they were not prepared to do that. Councilmember Alexander commented that was not the information shared with Council. Mayor Heggins noted Chairman Rivers provided clarification during public comment. Councilmember Alexander commented the clarification was given after she made her recommendation.

Mayor Pro Tem Post commented it was determined by Council in August that the Resolution would be worked on by the HRC. He referenced a comment made by Reverend Bruner

in the August 2018 minutes that stated he could see how it would be helpful for the HRC to work together with the Actions in Faith and Justice group. Mayor Heggins commented Mayor Pro Tem Post might be looking at draft minutes. Mayor Pro Tem Post commented the minutes were approved by Council on September 4, 2018. He asked if there was another set of minutes. Mayor Heggins noted she was pointing out that it was draft minutes and she is not sure if anything was changed after Council's approval. Mayor Pro Tem Post commented Council approved minutes in August that indicate that the HRC would be the Board that the Resolution of Reconciliation would be channeled through.

Councilmember Miller commented he believes these issues can be resolved if two or more suggested sentences are removed, but he would like Council to consider a process to allow Councilmembers an opportunity to collaborate and work together before Council meetings going forward.

Thereupon, Councilmember Miller made a **motion** to amend the existing two-page Resolution and strike the portion that reads "to establish an Equity Commission charged with a task of identifying, researching and reporting policies and practices that obstruct equity, evidence disparity and to oversee processes procedures to eliminate and identify equities and disparity within the boundaries of local, State, and Federal laws and to create policies and practices that mitigate past and present date in equity and disparity."

Mayor Pro Tem Post suggested a friendly amendment to August 6 as the date the City resolves.

Councilmember Sheffield suggested relocating the date to the section above it and add "to recognize that henceforth the date of August 6 for the purpose of re-affirming." Councilmember Miller and Alexander agreed with Councilmember Sheffield's amendment.

Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Alexander, Miller, and Sheffield voted AYE. (5-0)

RESOLUTION OF RECONCILIATION

(The above Resolution is recorded in full in Resolution Book No. 16 at Page No. 5 and 6 and is known as Resolution 2019-04.)

Mayor Heggins thanked Council and the public for their input and patience.

BOARDS AND COMMISSIONS

Councilmember Sheffield commented at the last Housing Advocacy Commission (HAC) meeting it was discussed that three seats would be available.

Housing Advocacy Commission

Upon a motion by Councilmember Sheffield, seconded by Councilmember Alexander. Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Alexander, Miller, and Sheffield voting AYE, the following reappointment was made to the Housing Advocacy Commission for a term to begin March 31, 2019:

Mr. William Matthews

Term Expires 03/31/22

Upon a motion by Councilmember Sheffield, seconded by Councilmember Alexander. Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Alexander, Miller, and Sheffield voting AYE, the following appointments were made to the Housing Advocacy Commission for a term to begin March 31, 2019:

Mr. Anthony Smith

Term Expires 3/31/22

Ms. Crystal Jackson

Term Expires 3/31/22

CITY ATTORNEY'S REPORT

Project Care

City Attorney Graham Corriher suggested Council make a motion to set a public hearing for Project Care on February 5, 2019. He noted it is not legally required however it has been a practice of Council.

Thereupon, Mayor Pro Tem Post made a **motion** to set a public hearing for February 5, 2019 to receive public input relating to Project Care. Seconded by Councilmember Alexander. Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Alexander, Miller, and Sheffield voted AYE. (5-0)

Kesler Mill Site

Mr. Corriher stated the owner of the Kesler Mill property has expressed an interest to donate the property to the City. He requested Council consider accepting the donated property. He noted the City has researched applying for a Brownfields Grant regarding funding assistance to help clean up the property. He shared the mill was torn down and several hundred thousands of dollars of debris remain on the property. He indicated in order for the City to apply for the grant and begin cleanup it would need to obtain the property's title. He suggested Council take action to accept the property contingent on his satisfaction that it will not create additional liability for the City. He requested Council authorize a public comment period, meet deadlines, and all Brownfield's Grant agreement required criteria.

Thereupon, Councilmember Sheffield made a **motion** to accept the donation of property from the fund for Community Support, Inc. located in the block bounded by North Martin Luther King Avenue, Park Avenue, East Franklin Street, and North Arlington Street upon payment of

back taxes owed and in satisfaction of the City Attorney and City staff that acceptance does not create environmental liability for the City. The motion was seconded by Councilmember Miller. Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Alexander, Miller, and Sheffield voted AYE. (5-0)

Mayor Pro Tem Post commented he does not believe the property is located on Martin Luther King Avenue. Mr. Corriher commented the motion was written to include Martin Luther King Avenue because he believes there are four parcels to be donated and to include the addresses of all properties.

Councilmember Miller asked if the properties could be referenced as the Kelser Mill sites. Mr. Corriher agreed.

Thereupon, Councilmember Sheffield made a **motion** to authorize the City Manager, City Attorney and any other necessary City staff to negotiate and enter into a Brownfields agreement on behalf of the City including by publishing any required public notices. Mayor Heggins, Mayor Pro Tem Post, and Councilmembers Alexander, Miller, and Sheffield voted AYE. (5-0)

Free Speech Committee

Mr. Corriher commented the Free Speech Committee established by Council needs to set a meeting date, and he added Councilmember Miller and Mayor Pro Tem Post are the appointed committee members.

Councilmember Miller and Mayor Pro Tem Post agreed that Monday, February 4, 2019 would be a good date. Councilmember Miller asked City Clerk Diane Gilmore to make sure everyone who has been involved in the free speech committee is made aware of the meeting date, time, and location. Councilmember Miller and Mayor Pro Tem Post agreed to meet at 5:30 p.m. and the location would be determined.

CITY MANAGER'S REPORT

Ferguson Group

City Manager Lane Bailey referenced meetings held in December 2018 when most members of Council met with a representative from a lobbyist group. He noted most of the conversation related to the City engaging in services with the Ferguson Group to assist the City with different items for a Federal agenda and help advise the City of grant opportunities. He noted the Ferguson Group works among a group of North Carolina clients and practices exclusively as a lobbyist for local governments across the United States. He asked if Council desires to engage with the Ferguson Group he can provide an agreement at Council's next meeting. He referenced the West End housing presentation given by Community Development Corporation (CDC) Director Chanaka Yatawara, and he noted income restrictions for Community Development Block Grant (CDGB) funds because the City is not included in the Charlotte Municipal Service Area (MSA). He stated if the City was included it would have a high-income level for families to qualify

for CDBG funds. He added the City is \$10,000 lower than if it was included in the Charlotte MSA. He indicated staff has had conversations with the Ferguson Group on how this level could be changed, and he noted the Ferguson Group could also assist with Federal Energy Regulatory Commission (FERC) relicensing.

Mr. Bailey asked if it is Council's desire to proceed with assistance from the Ferguson Group then he would prepare an agreement for Council's next meeting.

Councilmember Alexander shared she would support with an agreement with the Ferguson Group.

Mr. Bailey asked Council if it had any objections to staff providing an agreement at the next Council meeting. There were no objections from Councilmembers.

Youth Council Mock Council Meeting

Mr. Bailey shared he and City Attorney Graham Corriher attended the Salisbury Youth Council's Mock Council program this Monday. He commended the group and Mayor Pro Tem Post for putting the program together.

ANNOUNCEMENTS

Communications Director Linda McElroy announced registration is still open for the Light Construction Building Trades Class hosted by the City of Salisbury Parks and Recreation Department and Rowan-Cabarrus Community College. Students can expect to learn about construction safety, proper tool use, carpentry, masonry, cabinetry, drywall, code and inspections and much more. The class is for anyone 18 years and older and is free to Salisbury residents. The class is held Monday through Thursday at Hall Gym. For more information please contact RCCC at 704-216-7201.

Communications Director Linda McElroy announced residents are invited to visit City Hall on the first Monday of each month between noon and 1:00 p.m. for Lunch with the City Manager, Lane Bailey. Bring your brown bag lunch and share ideas, voice concerns and speak in an open, unrestricted forum.

Communications Director Linda McElroy announced the Dr. Martin Luther King, Jr. parade will be held Saturday, January 19, 2019. The parade will begin in downtown Salisbury at 11:00 a.m. until 12:00 p.m. noon at the corner of Liberty Street and North Main Street and will end at the Civic Center, located at 315 South Martin Luther King, Jr. Avenue. Alex Clark is the parade, Grand Marshal. Following the parade, activities celebrating Dr. King will be held from 12:30 p.m. until 2:30 p.m. at the Civic Center.

Communications Director Linda McElroy announced the Salisbury Human Relations Council will host the Dr. Martin Luther King, Jr. Breakfast, Monday, January 21, 2019 at 7:00 a.m. The Breakfast will be held at the J.F. Hurley YMCA, located at 828 Jake Alexander

Boulevard. Tickets are \$10. Dr. Dwayne A. Walker, pastor of Little Rock A.M.E. Zion Church, Charlotte, NC will be the guest speaker. To purchase tickets or for additional information please call 704-638-5218.

Communications Director Linda McElroy announced Winter Spruce Up week will begin January 21 through 25. The City of Salisbury will pick up your old appliances, tires without rims (limit 5 tires per location) and extra bagged trash. Items are to be placed at the curb before 7:00 a.m. on the day of your regular collection. No building materials or electronics will be collected. This collection is for residents living inside the City limits of Salisbury only (No businesses). If you have questions, please call the Public Services Department at 704-638-5260.

Communications Director Linda McElroy announced Parks and Recreation will host the 23rd Annual Father/Daughter Dance for girls ages 4 to 13 and their fathers on Saturday, February 2, 2019 from 6:00 p.m. until 9:00 p.m. at the Civic Center. There will be entertainment, dancing, snacks, games and door prizes. Tickets are limited and must be purchased in advance. Tickets are \$10 and can be purchased at any of the four recreation facilities. For more information please call 704- 216 -PLAY.

Communications Director Linda McElroy announced Downtown Salisbury, Inc. will host the 6th Annual Wine about Winter event on Friday, February 1, 2019 from 5:00 p.m. until 9:00 p.m. This wine tasting event allows ticket holders to sample 20 wines from around the world and also features Rowan County's very own wineries. The one day ticketed event will attract visitors into downtown Salisbury and provide exposure to downtown businesses in a unique, fun, and engaging way. Each ticket holder will present their identification at registration, located in the Visitors Center (204 East Innes Street) starting at 4:00 p.m. on February 1 to ensure everyone is 21 years old or above. Trolleys will provide convenient hop on/off service during the event. For ticket sales and detailed information, please visit www.downtownsalisburync.com or call (704) 637-7814.

COUNCIL COMMENTS

Councilmember Sheffield asked if Martin Luther King, Jr. Day Breakfast tickets could be purchased at the door. Someone from the audience responded that they could.

Councilmember Sheffield announced the Neighborhood Alliance Meeting will be held Thursday, January 17, 2019 at 4:00 p.m. at 1 Water Street.

Councilmember Sheffield commented it was great to hear input from educators, and it is great to know that the City is the only municipality in North Carolina that provides support to its school systems.

Councilmember Miller commended the Rowan-Salisbury School System on its important work to help make Salisbury schools successful long-term.

Councilmember Sheffield thanked Council for working together.

MAYOR PRO TEM COMMENTS

Mayor Pro Tem Post thanked the Rowan-Salisbury School System and acknowledged its struggles.

Mayor Pro Tem Post expressed he hopes tenant treatment would be included as a part of the Fair Housing Commission's mission.

Councilmember Alexander shared she and Councilmember Sheffield had an opportunity to visit West Rowan Elementary School during its opening celebration. She commented the celebration brought the community together and was a great experience.

Councilmember Alexander indicated the Fair Housing Committee has a tenant seat available.

MAYOR'S COMMENTS

Mayor Heggins commended the public and staff for their work. She shared Council has helped to show the world Salisbury is the place to be.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Miller. All Council members in attendance agreed unanimously to adjourn. The meeting was adjourned at 9:15 p.m.



Al Heggins, Mayor



Diane Gilmore, City Clerk